

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: BAIR HUGGER FORCED AIR
WARMING DEVICES PRODUCTS
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/DTS)

This Document Relates to:

Rene Beamon,

Civil Action No.: 17-cv-00141

Plaintiff.

**DECLARATION OF NOAH C. LAURICELLA IN SUPPORT OF PLAINTIFF'S
RESPONSE TO DEFENDANTS' MOTION TO DISMISS**

I, Noah C. Lauricella, declare as follows:

1. I am an attorney at GoldenbergLaw, PLLC and Counsel for Plaintiff Rene Beamon in the above-captioned matter.
2. I submit this affidavit in opposition to Defendants' Motion to Dismiss for Failure to Comply with Pretrial Order No. 23.
3. Plaintiff contacted GoldenbergLaw, PLLC in January of 2016 regarding injuries that were allegedly caused by the Bair Hugger patient warming device.
4. Medical records and billing records pertaining to Mr. Beamon's treatment were obtained by GoldenbergLaw through its third-party medical records retrieval company. Those records indicated that a Bair Hugger device was used during Mr. Beamon's February 2010 total knee revision surgery.

5. This case was filed on January 17, 2017 to comply with the statute of limitations deadline.
6. Plaintiff completed the Plaintiff Fact Sheet on April 17, 2017.
7. On March 5, 2019, Plaintiff's Counsel was informed that Mr. Beamon passed away on October 3, 2018.
8. Plaintiff's Counsel learned of Mr. Beamon's death more than 90 days after his passing.
9. Plaintiff's Counsel filed a Suggestion of Death in good faith with the Court on March 25, 2019.

Pursuant to 28 U.S.C. § 1746(2), I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 28, 2019

GOLDENBERGLAW, PLLC

By: /s/ Noah C. Lauricella
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